

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GERALD DENITHORNE, JR.	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 15-5220
	:	
JEFFREY INGEMIE, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 24th day of February, 2016, upon consideration of Defendant Wigginton's Motion to Dismiss Plaintiff's Complaint (Doc. No. 15) and any response thereto, it is hereby **ORDERED** that:

1. Count II and Count V of the Plaintiff's Complaint against Defendant Wigginton are **DISMISSED with PREJUDICE**;
2. Defendant Wigginton's Motion is **GRANTED without prejudice** with regards to Plaintiff's claim for intentional infliction of emotional distress as contained in Count IV of his Complaint;
3. Defendant Wigginton's Motion is **GRANTED with prejudice** with regards to Plaintiff's claim for defamation as contained in Count IV of his Complaint; and
4. Defendant Wigginton's Motion is **DENIED** with regards to Plaintiff's claims for assault and battery and malicious prosecution as contained in Count IV of his Complaint.

BY THE COURT:

s/ Lawrence F. Stengel

LAWRENCE F. STENGEL, J.